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JUDI JERICH  
Executive DirectorPATRICIA L. BARFIELD  
Director  
Corporations Division**COMMISSIONERS**  
BOB STUMP - Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH**ARIZONA CORPORATION COMMISSION**

Date September 25, 2013

**SUNGOLD HOSPITALITY GROUP, LLC**  
458 WHITE MOUNTAIN BLVD  
PINETOP, AZ 85935

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 09/18/2013 as agent for **SUNGOLD HOSPITALITY GROUP, LLC**:Case caption: **COPPER STATE HOSPITALITY GROUP, LLC v. SUNGOLD HOSPITALITY GROUP, LLC,**Case number: **CV201200247**Court: **NAVAJO COUNTY SUPERIOR COURT**

- ☒ Summons
- ☐ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☒ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

  
Lynda B. Griffin  
Custodian of RecordsInitials **ML**File number **L-1083123-3**



**COMMISSIONERS**  
BOB STUMP – Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH



**JODI JERCH**  
Executive Director

**PATRICIA L. BARFIELD**  
Director  
Corporations Division

**ARIZONA CORPORATION COMMISSION**

**CERTIFICATION OF SERVICE ACCEPTED AND OF MAILING**

Date: **September 25, 2013**

I, **MARY LEE** am an employee of the Arizona Corporation Commission ("ACC").

I hereby certify that on the 18<sup>TH</sup> day of **SEPTEMBER, 2013**, I accepted on behalf of the ACC service of the following documents upon the ACC as agent for **SUNGOLD HOSPITALITY GROUP, LLC**.

Case caption: **COPPER STATE FINANCIAL MANAGEMENT, LLC v. SUNGOLD HOSPITALITY GROUP, LLC**,

Case number: **CV201200247**

Court: **NAVAJO COUNTY SUPERIOR COURT**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Summons          | <input type="checkbox"/> Default Judgment               |
| <input type="checkbox"/> Complaint                   | <input type="checkbox"/> Judgment                       |
| <input type="checkbox"/> Subpoena                    | <input checked="" type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum        |   |
| <input type="checkbox"/> Motion for Summary Judgment |   |
| <input type="checkbox"/> Motion for                  |   |
| <input type="checkbox"/> Other                       |   |

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **September 25, 2013**

(Signature) \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Mary Lee", written over a horizontal line.



**COMMISSIONERS**  
BOB STUMP – Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH



**JODI JERCH**  
Executive Director

**PATRICIA L. BARFIELD**  
Director  
Corporations Division

**ARIZONA CORPORATION COMMISSION**

I, **MARY LEE**, am an employee of the Arizona Corporation Commission ("ACC").

I hereby certify that on the 25<sup>TH</sup> day of **SEPTEMBER**, 2013, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

**SUNGOLD HOSPITALITY GROUP, LLC**

at its last known place of business as follows:

**458 WHITE MOUNTAIN BLVD  
PINETOP, AZ 85935**

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **September 25, 2013**

(Signature) \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Mary Lee", is written over a horizontal line.



**Navajo County Superior Court  
P.O Box 668 Holbrook AZ 86025**

<b>Plaintiff/Judgment Creditor</b> Copper State Financial Management, Llc	<b>NO. CV201200247</b> <b>WRIT OF</b> <b>GARNISHMENT &amp; SUMMONS</b> (Earnings)	<b>Defendant/Judgment Debtor</b> Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W
<b>GARNISHEE:</b> <u>Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935</u>		

THE STATE OF ARIZONA TO THE SHERIFF, CONSTABLE OR ANY OTHER OFFICER WHO IS AUTHORIZED BY LAW TO SERVE PROCESS:

**JUDGMENT CREDITOR'S CLAIM IS 25,402.57 plus accruing interest as follows:**

Interest at the rate of:  
31.990%

On the amount of:  
\$10,183.29

plus costs of processing this Writ and other relief in this action against the following Judgment Debtor(s), Robert Brickman.

THEREFORE, PURSUANT TO A.R.S. §12-1598.04, YOU ARE COMMANDED to summon and appear before this Court the Garnishee whose name and address appears above, who is believed to be within your county:

The Judgment Creditor states as follows:

Pursuant to 15 U.S.C. §1692(e)(11) defendant is notified that this communication is from a debt collector.

The Judgment Creditor has a Judgment against the above described Judgment Debtor(s) in the amount of 25,402.57 as of the date of issuance of this Writ of Garnishment, plus accruing interest and cost of service of this Writ.

**The name and address of the Garnishee is:**

Sungold Hospitality Group, L.L.C.  
458 White Mountain Blvd  
Pinetop AZ 85935

**And his Authorized Agent is as follows:**

Richard B Johnson  
3110 S Rural Rd #102  
Tempe Az 85282

**The name and last known mailing address, if known, of the Judgment Debtor(s) is:**

Robert Brickman  
Po Box 2899  
Pinetop, Az 85935

**The social security number of Judgment Debtor(s) is:**

xxx-xx-9785

**Original Creditor:**

Washington Mutual

**The Judgment Creditor's name and address is:**

Copper State Financial Management, Llc  
c/o Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, AZ 85716-1617

**And his attorney's name and address is:**

David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, AZ 85716-1617  
(520)622-0340  
(888)622-0340

Request for reasonable accommodation for persons with disabilities must be made to division assigned to the case by parties at least three judicial days in advance of a scheduled court proceeding.







TO THE ABOVE-NAMED GARNISHEE:

GARNISHEE SHALL Answer in writing, under oath, within ten (10) days after the service of the Writ of Garnishment upon you, all of the following questions:

1. Whether the Judgment Debtor(s) was employed by the Garnishee on the date the Writ was served.
2. Whether the Garnishee anticipates owing earnings within sixty (60) days after the date of service of the Writ.
3. If the Garnishee is unable to determine the identity of the Judgment Debtor(s) after making a good faith effort to do so, a statement of the effort made and reasons for such inability.
4. The dates of the next two paydays occurring after the date of service of the Writ.
5. The pay period of the Judgment Debtor(s), whether weekly, biweekly, semimonthly, monthly or another specified period.
6. The amount of the outstanding Judgment now due and owing as stated in the Writ.
7. Whether the Judgment Debtor(s) is subject to an existing wage assignment, garnishment or levy, and if so, the name, address and telephone number of that Judgment Creditor.
8. The name, address and telephone number of the Garnishee.
9. The date and manner of delivery of a copy of the Answer to the Judgment Debtor(s) and Judgment Creditor, or his attorney if he is represented by one.

FROM AND AFTER SERVICE of the Writ of Garnishment, the Garnishee shall not pay to the Judgment Debtor(s) any earnings which are not exempt.

IF IT APPEARS FROM THE ANSWER OF THE GARNISHEE that the Garnishee was indebted to the Judgment Debtor(s) for disposable earnings when the writ was served, the garnishment shall be continuing in nature as a lien against nonexempt earnings, A.R.S. §12-1598.05.

AS TO DISPOSABLE EARNINGS, as defined in A.R.S. §33-1131, a garnishment is continuing in nature, subject to the following conditions:

1. The garnishment constitutes a lien against nonexempt earnings.
2. The garnishment is the equivalent of a court ordered assignment, compelling the garnishee to remit the nonexempt earnings to the Plaintiff, as they are earned, A.R.S. §12-1598.10.
3. The garnishment shall survive until any of the following occurs:
  - a. The underlying judgment is satisfied in full, is vacated, or expires.
  - b. The Judgment Debtor(s) leaves the Garnishee's employ for more than sixty (60) days.
  - c. The Judgment Creditor releases the garnishment.
  - d. The proceedings are stayed by a court of competent jurisdiction, including the United States Bankruptcy Court.
  - e. The Judgment Debtor(s) has not earned any nonexempt earnings for at least sixty (60) days.
  - f. The Court orders that the garnishment be quashed.





4. Garnishments, levies and wage assignments which are not for the support of a person are inferior to wage assignments for the support of a person. Garnishments which are not for the support of a person and levies are inferior to garnishments for the support of a person.

5. If a Judgment Debtor(s)' earnings become subject to more than one Writ of Garnishment, and because of the application of the priorities, a Judgment Creditor recovers no nonexempt earnings for two (2) consecutive paydays, the lien on earnings of such Judgment Creditor is invalid and of no force and effect, and the Garnishee shall notify the Judgment Creditor accordingly.

### SUMMONS

In obedience to the attached and foregoing Writ of Garnishment, I DO HEREBY SUMMON AND REQUIRE YOU TO APPEAR and answer the foregoing writ and in the manner prescribed by law within the times prescribed in said writ. You are hereby notified that in case you fail to so answer, the Court may issue an order requiring you to appear in person before it to answer the writ or to file and serve, at least five (5) days before the appearance date, a copy of the answer on the party for whom the writ has been issued, or on his attorney if the party is represented by counsel. If you fail to appear or to file and serve the answer as specified in the order, judgment by default may be rendered against you for the full amount of the relief demanded in the Complaint of the Plaintiff and not merely for the amount you may owe to the Defendant, and that such judgment may be so rendered in addition to any other matters which may be adjudged against you as prescribed by law.

Dated April 9, 2013

By: [Signature]  
Clerk Of The Court

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, Az 85716-1617  
(520)622-0340  
(888)622-0340  
David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor





NAVAJO COUNTY SUPERIOR COURT  
P.O. Box 668, Holbrook, AZ 86025

Plaintiff  COPPER STATE FINANCIAL MANAGEMENT, LLC  Defendant  VICKI R GANN AKA VICKI BRICKMAN AND ROBERT BRICKMAN, H&W	NO. CV201200247  DEFAULT JUDGMENT	DOCKETED  DEC 26 2012  SUPERIOR COURT
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The above matter coming on by Motion pursuant to Rule 55(b), Arizona Rules of Civil Procedure, and good cause appearing, the Court finds that there is no just reason for delay, and upon an express direction for the entry of Judgment; and Defendant(s) Robert Brickman not having appeared herein,

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff have Judgment:

XXX Default judgment against Robert Brickman

XXX Judgment in the amount of \$10,183.29, costs of \$310.00, and attorney's fees of \$2,240.32

XXX Pre-judgment interest in the amount of \$9,692.58, allocated as follows:

Amount:	Originally owed to:	Accrued until:
\$9,692.58	Washington Mutual	05/21/2012

XXX Plus accruing interest until the date of judgment:

At the rate of:	On the balance of:	Accruing from:
31.990%	\$10,183.29	05/21/2012

XXX Post-judgment interest from the date of judgment until paid in full:

At the rate of:	On the balance of:	Originally owed to:
31.99%	\$10,183.29	Washington Mutual

XXX Plus interest on the attorney fees and court costs at the rate of 4.25% from the date of judgment until paid in full, and accruing costs.

Dated 12-26-12

  
Judge/Commissioner/Justice of the Peace  
Navajo County Superior Court

ATTORNEY'S NAME, ADDRESS, PHONE  
HAMEROFF LAW GROUP, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, AZ 85716-1617  
(520)622-0340  
(888)622-0340  
courtnail@hamerlaw.com  
David E. Hameroff, Esq. - State Bar No: 007070  
Eric J. Thomae, Esq. - State Bar No: 024786  
Garrett M. Culver, Esq. - State Bar No: 028500

CERTIFIED COPY OF ORIGINAL FILED IN  
NAVAJO COUNTY SUPERIOR COURT  
DEANNE M. ROMO, CLERK

  
Deputy Clerk

DATE 01-02-2013

DEFJ



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Navajo County Superior Court  
P.O Box 668 Holbrook, AZ 86025

<b>Plaintiff/Judgment Creditor</b> Copper State Financial Management, Llc	<b>NO. CV201200247</b> <b>FIRST NOTICE TO JUDGMENT</b> <b>DEBTOR OF GARNISHMENT</b> <b>(Earnings)</b>	<b>Defendant/Judgment Debtor</b> Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W
<b>Garnishee:</b>	Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935	

**AVISO**

El tribunal ha ordenado que su empleador tome una parte de su salario o sueldo y que pague a su acreedor hasta terminado el proceso en contra suya y este pagada la deuda. En conformidad con la ley, su acreedor tiene derecho a "solo una parte" de su salario. A continuacion figura una explicacion de sus derechos. Se puede obtener una traduccion espanola del tribunal.

\*\*\*\*\*

To collect his Judgment against you the Judgment Creditor has asked this court to issue a Writ of Garnishment (see copy of Writ attached). Information about the Judgment and the name and address of the Judgment Creditor and Garnishee are stated in the Writ and the copy of the Judgment, which is attached.

The Writ of Garnishment is a court order requiring the Garnishee to withhold a certain amount from your earnings and to continue to withhold a portion of your earnings until the Judgment is satisfied or the Writ is quashed by the court or released by the Judgment Creditor.

The law provides that a certain amount of each paycheck or other earnings is exempt from collection by a Writ of Garnishment. In some cases of very low income no amount can be garnished except for an Order for Support of a Person. Different exemption rights may apply to the collection of taxes.

Within 10 days after the date the Garnishee was served with the Writ of Garnishment, he is required to deliver to you the following documents:

1. Answer of Garnishee.
2. Notice to Judgment Debtor, which explains your rights and the procedures in the Garnishment process.
3. Request for Hearing form, which you can use to request a hearing if you believe that the amount withheld from your earnings is greater than the law allows or that the Garnishment is invalid.

On each normal payday you should receive some earnings (paycheck) for the amount the Garnishee calculates is protected by law. That calculation is made on a Nonexempt Earnings Statement, a copy of which should accompany your paycheck. If the Judgment Creditor's debt is subject to an effective agreement for debt scheduling between you and a qualified consumer credit counseling service and if you do not receive a paycheck, or if a copy of the Nonexempt Earnings Statement does not accompany your paycheck, you may request a hearing.

To request a hearing for the reasons described above, fill out the attached Request for Hearing form and deliver it to this Court. At the same time you must deliver a copy (photocopy or handwritten) of the Request for Hearing to the Garnishee and to the Judgment Creditor, or his attorney, at the address stated on the Writ of Garnishment.

You will also be given the opportunity to request a hearing within 10 days of the date you submitted your Request for Hearing, and the Court will notify you, the Judgment Creditor and the Garnishee of the date, time and place of the hearing.

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, Az 85716-1617  
(520)622-0340  
(888)622-0340

David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor







Navajo County Superior Court  
P.O Box 668 Holbrook, AZ 86025

<b>Plaintiff/Judgment Creditor</b> Copper State Financial Management, Llc	NO. CV201200247 <b>FIRST HEARING REQUEST ON GARNISHMENT (EARNINGS</b>	<b>Defendant/Judgment Debtor</b> Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W
<b>GARNISHEE:</b>	Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935	

**I REQUEST A HEARING BECAUSE:**

- \_\_\_ On my normal payday I received no earnings (paycheck).
- \_\_\_ A copy of the Nonexempt Earnings Statement did not accompany my paycheck.
- \_\_\_ The Judgment Creditor does not have a valid Judgment or that Judgment has been paid in full.
- \_\_\_ My employer has not delivered to me the Notice to Judgment Debtor, Answer of Garnishee (Employer) and Request for Hearing forms within 15 days.
- \_\_\_ The debt of the Judgment Creditor is subject to an effective agreement for debt scheduling between me and a qualified consumer counseling service.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judgment/Debtor

**IF YOU REQUEST A HEARING, A COPY OF THIS REQUEST MUST BE SENT TO HAMEROFF LAW GROUP,  
P.C. ATTORNEY FOR THE JUDGMENT CREDITOR AT THE ADDRESS BELOW.**

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, Az 85716-1617 (520)622-0340  
David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Telephone (H)

\_\_\_\_\_  
(W)

Warning: You waive your right to a hearing on the monies withheld in this pay period unless you file this request for hearing within ten (10) days after receiving the Garnishee's Answer or show good cause for filing the request late.





Navajo County Superior Court  
P.O Box 668 Holbrook, AZ 86025

<b>Plaintiff/Judgment Creditor</b> Copper State Financial Management, LLC	NO. CV201200247 <b>SECOND NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT</b>	<b>Defendant/Judgment Debtor</b> Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W
<b>GARNISHEE:</b> Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935		

**(Earnings)**

This is your second notice that a Writ of Garnishment has been issued in this case. The Writ is a court order requiring the Garnishee to withhold a certain amount from your earnings and to continue to withhold a portion of your earnings until the Judgment is satisfied or the Writ is quashed.

The law provides that a certain amount of each paycheck or other periodic earnings is exempt from collection by a Writ of Garnishment. In some cases of very low income, no amount can be garnished except for an Order for Support of a Person.

Among the reasons for requesting a hearing are:

1. The Judgment Creditor does not have a valid Judgment against you or the Judgment has been paid in full.
2. The Garnishee's Answer is incorrect.
3. Your earnings are already subject to a Writ of Garnishment or are subject to a court ordered Assignment for payment of support.
4. The Judgment Creditor's debt is subject to an effective agreement for debt scheduling between you and a qualified consumer credit counseling service.

To request a hearing, deliver the Request for Hearing form (attached), or a substantially similar form to the Court. **You must mail or deliver a copy of the Request for Hearing to the Garnishee and to the Judgment Creditor or his attorney at the address on the Writ of Garnishment.**

If you do not deliver the Request for Hearing form to this court within 10 days after the date you receive this Notice and the Answer of the Garnishee, your request for hearing will be denied, unless good cause for the day is shown. You must check a box or state your reasons for disputing the claim in the space provided on the form.

If you request a hearing, it will be conducted no later than 10 days after your request is received by the Court. The Court will send you notice of the date, time and place.

The nonexempt portion of your earnings will continue to be withheld by the Garnishee and delivered to the Judgment Creditor until the Judgment is paid in full, or the Garnishment is ordered to stop. Whether or not you request a hearing at this time, if you believe too much money is withheld from your earnings pursuant to this Garnishment at some time in the future, you will have the same opportunity to request a hearing at that time.

**WARNING: YOU WAIVE YOUR RIGHT TO A HEARING ON THE MONIES WITHHELD IN THIS PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR HEARING WITHIN 10 DAYS AFTER RECEIVING THE GARNISHEE'S ANSWER OR SHOW CAUSE FOR FILING THE REQUEST LATE.**

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, AZ 85716-1617  
(520)622-0340  
(888)622-0340

David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor



1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

2. The second part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

Navajo County Superior Court  
P.O Box 668 Holbrook, AZ 86025

<b>Plaintiff/Judgment Creditor</b> Copper State Financial Management, Llc	NO. CV201200247 <b>SECOND HEARING REQUEST ON GARNISHMENT (EARNINGS)</b>	<b>Defendant/Judgment Debtor</b> Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W
<b>GARNISHEE:</b> Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935		

**I REQUEST A HEARING BECAUSE:**

- \_\_\_ The Judgment Creditor does not have a valid Judgment against me.
- \_\_\_ The Judgment has been paid in full.
- \_\_\_ The Garnishee's Answer is incorrect.
- \_\_\_ My earnings are already subject to a Writ of Garnishment or court-ordered Assignment for Payment of Support.
- \_\_\_ Other \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judgment Debtor

**WARNING: YOU WAIVE YOUR RIGHT TO A HEARING ON THE MONIES WITHHELD IN THIS PAY PERIOD UNLESS YOU FILE THIS REQUEST FOR HEARING WITHIN 10 DAYS AFTER RECEIVING THE GARNISHEE'S ANSWER OR SHOW CAUSE FOR FILING THE REQUEST LATE. YOU MUST SEND A COPY OF THIS REQUEST TO JUDGMENT CREDITOR'S ATTORNEY AT THE ADDRESS BELOW.**

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, Az 85716-1617 (520)622-0340  
(888)622-0340  
David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Telephone (H)

\_\_\_\_\_  
(W)

Warning: You waive your right to a hearing on the monies withheld in this pay period unless you file this request for hearing within ten (10) days after receiving the Garnishee's Answer or show good cause for filing the request late.



10/10/10

10/10/10

## GARNISHMENT ANSWER HINTS

- ✓ PLEASE CHECK YOUR ANSWER TO BE SURE THE FOLLOWING ARE ANSWERED PROPERLY:
- ✓ THE ANSWER MUST BE COMPLETED AND SENT TO THE COURT INDICATED WITHIN TEN (10) DAYS OF SERVICE OF PROCESS OF THE WRIT OF GARNISHMENT
- ✓ A COPY OF THE ORIGINAL ANSWER MUST BE SENT TO:

Hameroff Law Group, PC  
3443 E Ft. Lowell, Suite 101  
Tucson, Arizona 85716-1617

- ✓ CHECK QUESTION #9: PLEASE BE SURE TO STATE THAT DATE AND MANNER OF HOW YOU, THE GARNISHEE, DELIVERED THE "NOTICE TO JUDGMENT DEBTOR" "REQUEST FOR HEARING" AND "NON-EXEMPT EARNINGS STATEMENT".
- ✓ CHECK QUESTION #10: PLEASE BE SURE TO STATE THE DATE AND MANNER OF HOW YOU, THE GARNISHEE, DELIVERED THE ANSWER TO THE ATTORNEY'S OFFICE.
- ✓ THIS ANSWER MUST BE SIGNED AND NOTARIZED.

Failure to complete this Answer in its entirety may result in the court rejecting your Answer. That in turn may result in you being in non-compliance with the court's ordered Garnishment. Failure to comply with the Court Instructions may result in a Judgment being entered against the Garnishee (the Employer or the Financial Institution) for the amount of the Judgment. We have enclosed a complete set of Answer Instructions with this garnishment, and this page is not to replace those Court authored Instructions. These are intended to address some of the common errors we see in ANSWERS to garnishments.

(Rev. 6/07)





Navajo County Superior Court  
P.O Box 668 Holbrook, AZ 86025

<b>Plaintiff/Judgment Creditor</b> Copper State Financial Management, Llc	<b>NO. CV201200247</b> <b>ANSWER OF</b> <b>GARNISHEE</b>	<b>Defendant/Judgment Debtor</b> Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W
<b>GARNISHEE:</b> Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935		

1. I am the above-named Garnishee or am authorized by the Garnishee to answer on his behalf on his behalf, the Writ of Garnishment served on Garnishee on this date: \_\_\_\_\_.
  - a. If no longer employed state the date of termination: \_\_\_\_\_.
2. Judgment Debtor ☐ was or ☐ was not employed by the Garnishee on the date the Writ was served.
  - a. If no longer employed state the date of termination: \_\_\_\_\_.
3. Garnishee ☐ does or ☐ does not anticipate owing earnings to the Judgment Debtor within 60 days after the date of service of the Writ.
4. If the Garnishee is unable to determine the identity of the Judgment Debtor after making a good faith effort to do so, the Garnishee shall make a statement of the Garnishee's effort made and the reasons for that inability.  
\_\_\_\_\_  
\_\_\_\_\_
5. State the dates of the Judgment Debtor's next 2 paydays occurring after the date of service of the Writ:
  - a. \_\_\_\_\_ b. \_\_\_\_\_
6. Judgment Debtor ☐ is or ☐ is not employed by the Garnishee currently and is paid:  
☐ daily ☐ weekly ☐ bi-weekly  
☐ monthly ☐ semi-monthly ☐ Other \_\_\_\_\_
7. State the amount of the outstanding Judgment now due and owing as stated in the Writ?
  - a. Judgment Balance \$ \_\_\_\_\_ plus costs of processing this Writ.
8. Judgment Debtor ☐ is or ☐ is not subject to an existing Wage Assignment, Garnishment or Levy.
  - a. If yes, give the name, address and telephone number of that Judgment Creditor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - b. And the balance owed on the existing garnishment. \_\_\_\_\_



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9. If Garnishee answered yes to either question #2 or #3, a copy of this Answer, and a copy of the "Notice to Judgment Debtor", "Request for Hearing" and "Non-Exempt Earnings Statement" were delivered to the Judgment Debtor

a. On the following date: \_\_\_\_\_ by \_\_\_\_\_

☐ Mail

☐ Hand delivery

b. At the following address:

\_\_\_\_\_  
\_\_\_\_\_

10. Copies of this Answer and Non-Exempt Earnings Statement were delivered to the Judgment Creditor

a. On the following date \_\_\_\_\_ by \_\_\_\_\_

☐ Mail

☐ Hand delivery;

b. At the following address:

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, AZ 85716-1617

11. Garnishee's name, mailing address and telephone number is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( )

12. I have read the foregoing document and know of my own knowledge that the facts stated therein are true and correct.

**WHEREFORE**, Garnishee prays that Garnishee be discharged on this Answer and that the Court award Garnishee reasonable compensation in the amount of \$ \_\_\_\_\_.

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, Az 85716-1617 (520)622-0340  
(888)622-0340

David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor

\_\_\_\_\_  
Signature of Garnishee

STATE OF ARIZONA )

: ss.

COUNTY OF PIMA )

SUBSCRIBED AND SWORN this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:

**Important Notice to Garnishee:**

- The responses to questions 9 and 10 in this answer must indicate the **DATE** and **MANNER** the documents detailed were delivered to the judgment debtor and judgment creditor.
- This document must be signed and notarized.
- An original must be filed with the court and a copy mailed to the Plaintiff's attorney.
- The court may reject an Answer of Garnishee that is not completed in its entirety. Failure to complete and file this answer may subject Garnishee to sanctions by the court.





**INSTRUCTIONS TO GARNISHEE (EARNINGS)**  
**A.R.S. § 12-1598 TO 12-1598.17**

You, the employer, are the Garnishee in this case. You have been served with the following:

1. Summons and Writ of Garnishment (names the parties and reasons for garnishment)
2. Judgment or Order (what Judgment debtor owes creditor)
3. Answer of Garnishee form (for your response to the garnishment)
4. First and Second Notices to Judgment debtor of garnishment.
5. First and Second Hearing Requests on Garnishment.
6. Non-Exempt Earnings Statement form (to calculate how much can be withheld)
7. Hearing Request and Notice of Hearing on Garnishment Earnings Statement (for Judgment debtor to object to statement)

**WHAT YOU MUST DO:**

Withhold the proper amounts **immediately** from the Judgment debtor's wages, using the non-exempt earnings statement form. Do not send any money to the creditor's attorney, until you receive the Order of Continuing Lien.

While the Continuing Lien is in effect, the Garnishee may deduct from the nonexempt earnings of the Judgment debtor the amount of \$5.00 each pay period as a fee for preparing and delivering the non-exempt earnings statement.

File your Answer with the Court within ten (10) days of service, and deliver a copy to the creditor's attorney, with a completed non-exempt earnings statement, and another copy to the Judgment debtor (along with items 4-7 above). You may deliver personally, or use first-class mail, or use a process server. Be sure to show on the Answer of Garnishee the date and manner of delivery of the copies to the creditor's attorney and the Judgment debtor.

**COMPLETING THE NON-EXEMPT EARNINGS STATEMENT**

1. You'll need to make more copies of the non-exempt earnings statement form, since it must be filled out each pay period.
2. Each pay period you must calculate how much of the employee's earnings is to be withheld and attach a copy of the completed form to the Judgment debtor's and creditor's checks.
3. Pursuant to ARS 33-1131b, the calculation on Line 3 of the Non-Exempt Earnings Statement is based on the **FEDERAL** minimum wage, which is currently \$7.25 per hour.

**OBJECTIONS AND HEARINGS**

The Judgment debtor can object to the garnishment, your answer and the non-exempt earnings statement. The creditor, or his attorney, can object if you do not send a copy of the answer or the non-exempt earnings statements to the creditor's attorney. In each case, a hearing may be requested and the court will inform all parties of the hearing date. You must attend the hearing if there is an objection involving the non-exempt earnings statement or the answer. You may attend the hearing on any other objection.





### WITHHOLDING AND PAYING AMOUNTS TO CREDITOR

1. You are not liable to the creditor for failing to withhold earnings which are paid to the Judgment debtor within three (3) days after you receive the Summons and Writ of Garnishment.
2. Once you receive the Order of Continuing Lien, the garnishment will continue until one of the following occurs:
  - a. The Judgment debtor leaves your employment for more than sixty (60) days.
  - b. The Judgment is satisfied. You will receive notice from the creditor's attorney.
  - c. The creditor's attorney releases the garnishment.
  - d. The Judgment debtor has not earned any non-exempt earnings for at least sixty (60) days.
  - e. The proceedings are "stayed" for some reason, (ie: bankruptcy)
  - f. The court cancels the garnishment.
3. When you receive the Order of Continuing Lien, send all monies directly to the creditor's attorney, make check payable to the creditors attorney, mail all checks to the creditors attorney, do not send the money to the court.

### ORDER OF CONTINUING LIEN NOT ENTERED

If no objections are filed to your answer and an Order of Continuing Lien is not entered within 45 days after your answer, then earnings held shall be released to the Judgment debtor and garnishee will be discharged from any liability on the garnishment.

### MORE THAN ONE GARNISHMENT

Garnishments which are for support of a person take priority over other garnishments. If your employee has more than one garnishment, and after you have deducted for the first garnishment, there are not more non-exempt earnings available for two consecutive paydays, then the second garnishment is invalid. You are to inform the creditor's attorney if this happens.

### IMPORTANT REMINDERS

1. You have ten (10) days from the date you are served with the garnishment to file your Answer with the Court **and** to mail a copy to the creditor's attorney and the Judgment debtor.
2. Do not release any money to the creditor's attorney until you receive the Order of Continuing Lien.
3. Once you receive the Order of Continuing Lien, do not send the money to the court. Send the money directly to the creditor's attorney.
4. Attach a non-exempt earnings statement to each payment for the Judgment debtor and the creditor.

### WARNING

**IF YOU FAIL TO COMPLY WITH THESE REQUIREMENTS, THE COURT MAY FIND YOU IN CONTEMPT AND CAN AWARD THE TOTAL AMOUNT OF THE JUDGMENT AND UP TO \$400.00 IN DAMAGES AGAINST YOU. AN EMPLOYEE CANNOT BE TERMINATED BECAUSE THE EMPLOYEE'S WAGES ARE BEING GARNISHED.**



1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

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1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.



### NONEXEMPT EARNINGS STATEMENT

Judgment Debtor: **Robert Brickman**  
Plaintiff: Copper State Financial Management, Llc  
Defendant: Vicki R Gann Aka Vicki Brickman And Robert Brickman, H&W  
Court: Navajo County Superior Court  
Case No: CV201200247  
Employer: Sungold Hospitality Group, L.L.C.

Pay Period From \_\_\_\_\_ TO \_\_\_\_\_

#### (Answer all pertinent questions)

1. The Judgment Debtor is an employee or is otherwise owed earnings Yes \_\_\_\_\_ No \_\_\_\_\_

If the answer is "NO", enter the Judgment Debtor's last date of employment by your firm or the last date for which earnings are owed. \_\_\_\_\_

2. For the earnings of the Judgment Debtor for this pay period enter all of the following:

2a Gross Earnings 2a. \$ \_\_\_\_\_

**Deductions:**

Federal Taxes \$ \_\_\_\_\_

State Taxes \$ \_\_\_\_\_

Social Security \$ \_\_\_\_\_

Medicare \$ \_\_\_\_\_

Other: \$ \_\_\_\_\_

Describe: \_\_\_\_\_

2b Total Deductions: 2b \$ \_\_\_\_\_

2c Disposable earnings (gross earnings less deductions required by law) 2c \$ \_\_\_\_\_

2d Enter 25% of line 2c 2d \$ \_\_\_\_\_

3. **The current Federal minimum wage is \$7.25 per hour.** Pursuant to ARS 33-1131b, this calculation is done using Federal minimum wage. Enter one of the following, using appropriate pay period: weekly (30 x minimum wage), bi-weekly (60 x minimum wage), semi-monthly (65 x minimum wage), monthly (130 x minimum wage). 3 \$ \_\_\_\_\_

4. Subtract line 3 from line 2c and enter 4 \$ \_\_\_\_\_

5. Enter the amount from line 2d or line 4, whichever is smaller. 5 \$ \_\_\_\_\_

6. Enter the amount withheld from the Judgment Debtor's earnings because of a court ordered Assignment for Support of a person or a Garnishment or Levy for the Collections of Taxes. 6 \$ \_\_\_\_\_

7. Subtract line 6 from line 5 and enter here **THIS IS THE AMOUNT OF NONEXEMPT EARNINGS YOU ARE TO WITHHOLD AND FORWARD TO THE JUDGMENT CREDITOR OR HIS ATTORNEY, IF HE IS REPRESENTED BY ONE, WITH THIS STATEMENT** 7 \$ \_\_\_\_\_

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Garnishee's Signature

\_\_\_\_\_  
Garnishee's Name, Address, Phone:



1000

1000

Navajo County Superior Court  
P.O Box 668 Holbrook, AZ 86025

|  |  |   |
|--|--|---|
| <b>Plaintiff/Judgment Creditor</b><br><br>Copper State Financial Management, Llc             | <b>NO: CV201200247</b><br><br><b>HEARING REQUEST ON<br/>GARNISHMENT EARNINGS<br/>STATEMENT</b> | <b>Defendant/Judgment Debtor</b><br><br>Vicki R Gann Aka Vicki Brickman And Robert<br>Brickman, H&W |
| <b>GARNISHEE:</b> Sungold Hospitality Group, L.L.C. 458 White Mountain Blvd Pinetop AZ 85935 |  |   |

If you believe that the amount of your non-exempt earnings has been incorrectly calculated for this pay period or that no amount should be withheld because the Garnishment or underlying Judgment is invalid, satisfied or superseded, you may request a hearing within 10 days after receiving the attached Non-Exempt Earnings Statement by completing this Request for Hearing and delivering it to the Court. Deliver a copy of your Request for Hearing to the Judgment Creditor and the Garnishee.

The Court will notify you and the other parties of the date and time for the hearing. A hearing will be set within 10 days after your request. **YOU MUST SEND A COPY OF THIS REQUEST TO JUDGMENT CREDITOR'S ATTORNEY AT THE ADDRESS BELOW.**

I request a hearing for the following reason:

- ☐ The Non-Exempt Earnings Statement is incorrectly filled out.  
☐ Other \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judgment Debtor

Hameroff Law Group, P.C.  
3443 E. Ft. Lowell Rd., Ste. 101  
Tucson, Az 85716-1617 (520)622-0340  
(888)622-0340  
David E. Hameroff, Esq. - State Bar No: 007070  
Garrett M. Culver, Esq. - State Bar No: 028500  
Rohit Talwar, Esq. - State Bar No: 028505  
Representing Judgment Creditor

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Telephone (H) (W)

Warning: You waive your right to a hearing on the monies withheld in this pay period unless you file this request for hearing within ten (10) days after receiving the Garnishee's Answer or show good cause for filing the request late.







\*146298\*

EZ Messenger  
2502 N. BLACK CANYON HIGHWAY  
PHOENIX, AZ 85009  
602.258.8081  
Fax#: 602.258.8864

In The NAVAJO COUNTY SUPERIOR COURT  
State of ARIZONA, County of NAVAJO

### Affidavit of Attempted Service

Copper State Financial Management LLC

Case No.: CV201200247

Vs.

Vicki R Gann aka Vicki Brickman and Robert Brickman Judge:  
H&W

STATE OF ARIZONA  
MARICOPA COUNTY

The Affiant, being sworn, states; That I am a private process server registered in MARICOPA COUNTY and an officer of the court. On 06/20/2013 I received **TWO COPIES OF WRIT OF GARNISHMENT & SUMMONS (EARNINGS); CIVIL JUDGMENT; TWO COPIES OF FIRST NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT; TWO COPIES OF FIRST HEARING REQUEST ON GARNISHMENT; TWO COPIES OF SECOND NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT; TWO COPIES OF SECOND HEARING REQUEST ON GARNISHMENT; GARNISHMENT ANSWER HINTS; FOUR COPIES OF ANSWER OF GARNISHEE; TWO COPIES OF INSTRUCTIONS TO GARNISHEE; FOUR COPIES OF NONEXEMPT EARNINGS STATEMENT; FOUR COPIES OF EARNINGS STATEMENT HEARING REQUEST ON GARNISHMENT; AFFIDAVIT OF ATTEMPTED SERVICE** from HAMEROFF LAW GROUP, P.C. and by DAVID E. HAMEROFF. In each instance I personally attempted to serve a copy of each document listed above upon **SUNGOLD HOSPITALITY GROUP, L.L.C., BY SERVICE UPON ITS STATUTORY AGENT, RICHARD B. JOHNSON**. The following are my attempts to deliver said documents:

| Date                 | Time    | Results  |
|----------------------|---------|--|
| 09/09/2013<br>Monday | 2:19 PM | 3110 S. RURAL RD., #102 , TEMPE, AZ 85282<br>SERVICE WAS ATTEMPTED AND PER THE RECEPTIONIST RICHARD B. JOHNSON IS NO LONGER THERE AND SHE HAD NO FORWARDING INFORMATION. SENDING SERVICE TO THE ACC. |

Military Status: NA  
Marriage Status: NA

ATTEMPTED SERVICE \$ 57.00

**TOTAL:** \$ 57.00

/S/ EUGENE A. HAUGEN, ACPS

EUGENE A. HAUGEN, ACPS

Affiant

Sworn to before me 09/12/2013

Client Ref: 2036271

Client: HAMEROFF LAW GROUP,  
P.C.

CLIENT COPY

/S/ LOLA J. FERGUSON

LOLA J. FERGUSON

Commission expires:03/03/2014



In the matter of:

AMENDED

Copper State Financial  
Management, LLC  
Plaintiff/Judgment Creditor  
Vs

Sungold Hospitality Group, LLC  
Defendant/Judgment Debtor.

State of Arizona  
County of Navajo

**AFFIDAVIT OF  
ATTEMPTED SERVICE**

**CV201200247**

**Superior Court  
Navajo County, Arizona**

The undersigned being sworn, states: That I am duly qualified to serve process within the State of Arizona and on the 30th day of April, 2013 I received:

- 2 Copies of Writ of Garnishment & Summons (Earnings); Civil Judgment; 2 Copies of First Notice to Judgment Debtor of Garnishment; 2 Copies of First Hearing Request on Garnishment; 2 copies of Second Hearing Request on Garnishment; Garnishment Answer Hints; 4 copies of Answer of Garnishee; 2 copies of Instructions to Garnishee; 4 copies of Nonexempt Earnings Statement; 4 copies of Earnings Statement Hearing Request on Garnishment.

And in each instance I **ATTEMPTED TO SERVE** a copy of each document listed above on those named below in the manner and at the time and place shown below.

Last Date & Time of Attempt(s) May 21, 2013 at 2:00 PM

Person/s service attempted upon: Sungold Hospitality Group, LLC, by service upon its statutory agent, Richard B Johnson

Address of service attempt: 458 White Mountain Blvd, Pinetop, AZ 85935

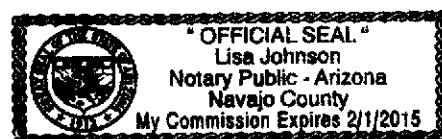
Details of Attempted Service: On May 2, 2013 at 10:53 AM, the Front desk of the new EconoLodge told me that Robert & Vicki Brickman, the previous owners, no longer owned the hotel. They did not know if Sungold Hospitality Group still owned it. Talked with manager at new Econolodge to make sure that the business was not owned by Sungold Hospitality Group. He informed that it was not, and that it was owned by EconoLodge, Inc on May 21, 2013.

NAVAJO COUNTY PROCESS SERVER DAWN ALCUMBRAC

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of Aug 2013

Notary Public

2-1-2015  
My Commission expires



10/1/1917

10/1/1917

# NO. 10/1/1917 RECEIVED OCTOBER 1, 1917

(RECEIVED)

Mr. [Name]  
[Address]

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CORPORATIONS DIVISION  
RECORDS SECTION  
1300 West Washington  
Phoenix, Arizona 85007-2929

User Id: MLEE  
Invoice No.: 4300242

Check Batch:  
Invoice Date: 09/18/2013  
Date Received: 09/18/2013  
Customer No.:

ATTN:  
(CASH CUSTOMER)

| Quantity            | Description   | Amount  |
|---------------------|---|---------|
| 1                   | SERVICE OF PROCESS<br>L-1083123-3 SUNGOLD HOSPITALITY GROUP, L.L.C. | \$25.00 |
| Total Documents: \$ |   | 25.00   |
|                     | CHECK 8684  | \$25.00 |
| PAYMENT             |   |         |
| Balance Due: \$     |   | 0.00    |



Corporate Inquiry

09/18/2013

State of Arizona Public Access System

2:07 PM

File Number: L-1083123-3

LATEST DATE TO DISSOLVE 12/31/2053

Corp. Name: SUNGOLD HOSPITALITY GROUP, L.L.C.

Domestic Address

458 WHITE MOUNTAIN BLVD

PINETOP, AZ 85935

Second Address

Agent: RICHARD B JOHNSON

Status: APPOINTED 06/24/2003

Mailing Address:

3110 S RURAL RD #102

TEMPE, AZ 85282

Agent Last Updated: 07/07/2003

Business Type:

Domicile: ARIZONA

County: NAVAJO

Corporation Type: DOMESTIC L.L.C.

Life Period:

Incorporation Date: 06/24/2003

Approval Date: 06/24/2003

Last A/R Received: /

Date A/R Entered:

Next Report Due:

FOREIGN STATE IS REQUIRED, PLEASE ENTER. (A086)

*EPN*

*CASIC*

